

ORIGINAL ✓

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#1676 NOV 11 RECD

GRAND JURY

September 23, 2003

BT 10/24/03

TO: The Honorable Allan Hardcastle  
Presiding Judge, Sonoma County Superior Court  
FROM: Sonoma County Board of Supervisors  
SUBJECT: **Response to Final Report of the 2002-2003 Grand Jury**

The Board of Supervisors' response to the 2002-2003 Grand Jury's findings and recommendations follows the same order as the Table of Contents of that Grand Jury Report.

**BOARD OF SUPERVISORS  
RESPONSE TO THE 2002-2003 GRAND JURY REPORT**

**1. Adolescent Crises**

**Recommendation: Pgs. 9-13**

*R2 Sonoma County should subsidize the printing and distribution costs of this informational brochure.*

**Response:** The recommendation will be partially implemented.

The Board of Supervisors is supportive of the production and distribution of an informational brochure to assist residents of Sonoma County find needed mental health services. As the Department of Health Services indicated in their response to the Grand Jury, a brochure will be produced during FY 03-04. It is also the Board's understanding that funding to offset the cost has been identified within the Department of Health Services current year funding allocations.

**2. Revolving Door Policy**

**Recommendation: Pgs. 14-15**

*R1 The Board of Supervisors should adopt a written policy restricting the ability of county officers and employees to conduct business with any former officer or employee for a period of one year after leaving county employ. Such a policy should be drafted to prohibit dealings that represent a conflict of interest or the appearance of a conflict of interest without restricting the individual's ability to pursue legitimate business interests.*

**Response:** The recommendation will not be implemented because it is not reasonable.

The Board of Supervisors believes that, as stated in their response to the FY 01-02 final report, a “revolving door policy” is an unduly burdensome restraint on an individual’s ability to engage in his/her trade or business upon leaving County employment.

### **3. Open Meetings, Closed Sessions**

**Recommendations: Pgs. 20-21**

*R1 The Board of Supervisors should change the format and timing of its meetings to encourage public attendance and participation.*

**Response:** The recommendation is being implemented in part.

The format for the Board meetings is outlined in a weekly agenda that is available to the public on the Internet, at public libraries, city offices, the Board of Supervisors office, and by mail to any individual or group who requests it. The Board of Supervisors does welcome and encourage public attendance and participation in all of its meetings. A statement to that effect is located on the front page of every weekly agenda. The agenda explains the process for addressing the Board on any item in an effort to make it easy and convenient for the public to express their opinions. The morning calendar items on the agenda do not identify a specific time for each item because of the large volume of items. The number of items vary anywhere from around 30 up to 80 items or more. Since the amount of time needed for each item varies, a timed schedule for each item would be difficult. Items requiring a noticed public hearing are set for certain specific times in the afternoon. These are scheduled with blocks of time in between each hearing in order to allow ample time for anticipated public comment. The Board does occasionally conduct meetings in the late afternoon and evening on issues of wide public interest.

*R2 Include time for public comment in the agenda the week before an item is voted on.*

**Response:** The recommendation has been implemented.

Every agenda has a time for public comment on items not on that week’s agenda. This is set for 2:00 p.m. and listed as Personal Appearances on the agenda.

### **4. Officer Involved Incidents**

**Recommendations: Pgs 29-32**

*R1 The Sheriff’s Office should integrate the Records Management System and the Jail Management System to allow inmates’ records of mental health issues to be readily available to jail staff.*

**Response:** The recommendation will not be immediately implemented.

As indicated by the Sheriff, the process to evaluate and implement such a system has begun. Due to the cost and labor-intensive work necessary to convert the existing database, it is unlikely that implementation of this recommendation would be feasible in FY 03-04. The Board of Supervisors would consider the cost and benefits of an improved records management system at such time as the Sheriff and the County Administrator bring forward a request in light of other funding priorities.

## 5. Special Fire Protection Districts

**Recommendations: Pgs. 35-37**

*R3 The Sonoma County Board of Supervisors and the Rancho Adobe Board should meet with Sonoma State University representatives to negotiate an agreement to compensate the District for its services.*

**Response:** The recommendations will not be implemented.

The Board of Supervisors does not retain jurisdiction over Sonoma State University (SSU) or Rancho Adobe Fire Protection District and therefore may not direct the use and funding of the Fire Protection District services. Sonoma State University is considered state property and is legally exempt from local ordinances and special taxes. It is the Board's understanding that SSU administration has been actively involved in discussions with the District over the past year regarding emergency response, special events, new construction projects, and exploration of partnership and potential revenue sources to benefit the District and support fire protection services. The Board supports the continued discussions between the University and the Fire District.

## 6. Prevailing Wages

**Recommendations: Pgs. 38-40**

*R1 Every public agency in Sonoma County shall actively monitor and review payroll records for accurate wage payment, and fully comply with the law by notifying the DIR whenever non-compliance is encountered.*

**Response:** The recommendation has been partially implemented.

The Board of Supervisors is aware that various levels of monitoring for compliance with the prevailing wage mandates are practiced; however, County departments meet, and most exceed, State mandated prevailing wage requirements. Increased monitoring and reviewing is undertaken by some departments in order to comply with federal grant mandates. In addition, the Board has asked that the County Administrator work with departments to provide the Board with current practices and an ongoing evaluation of increased monitoring practices. The County will continue to comply with State mandates, report any known incidence of non-compliance to the DIR and work with them to resolve outstanding issues.

## 7. Enforcing Child Support Payments

**Recommendation: Pgs. 41-43**

*R1 All agencies involved with child-support collections should pressure the California State Legislature to reduce the interest collected on default child-support payments to a more equitable amount.*

**Response:** The recommendation has been implemented.

The Department of Child Support Services (DCSS) is working with its association and the California State Legislature on this issue and will keep the Board apprised of any outcomes.

## **8. Weddings: An unequal, For-Profit Opportunity**

**Recommendations: Pgs. 44-45**

*R1 All interested and qualified citizens should be allowed to receive the training, acquire the Deputy Commissioner of Civil Marriages title, and be added to the list of available Deputy Marriage Commissioners to perform marriages in this county.*

**Response:** The recommendation has been partially implemented.

The Clerk now has in place a program that provides an opportunity for qualified citizens who meet training requirements, to be appointed Deputy Commissioner for a day. The Board of Supervisors support the County Clerk's approach to limiting the widespread deputization of citizens since extending significant governmental authority without adequate oversight would be problematic and the required level of oversight would be difficult to provide within the County's limited resources.

## **9. Is Justice Being Served in Our County**

**Recommendations: Pgs. 49-54**

*R5 The District Attorney and Board of Supervisors should explore all avenues to provide adequate space for the District Attorney staff.*

**Response:** The recommendation has not yet been implemented, but will be implemented in the future.

The County's five-year capital plan is developed to meet the future needs of all county departments. The capital plan includes relocation and additional space provisions for the District Attorney staff and the other criminal justice departments located in the Hall of Justice. In addition to the capital plan, General Services works with all departments, on an ad hoc basis, to resolve immediate space needs, when feasible. The District Attorney is currently working with General Services to relocate several staff members and redesign the current office space to relieve the space problems until such time as the capital plan for the Hall of Justice facility can be implemented.

## **10. Professionals Defend Sonoma County's Indigents**

**Findings: Pgs. 49-62**

*F8 Annual department goals as stated in the budget are not specific, time-based or measurable.*

**Response:** The Board of Supervisors partially disagrees with the finding.

Department objectives are developed as part of the proposed budget. The Public Defender's objectives for FY 03-04 indicated that baseline services for important new programs would continue to be provided, as in previous years, although the proposed budget recommended a reduction of four and one half positions. The final budget restored these positions, enabling the Public Defender to better respond to changes in caseload and structural changes within the justice system. As the Grand Jury pointed out, the Public Defender's office is providing exemplary services and should be commended.

**Recommendations: Pgs 49-62**

*R1 Public Defender management should involve all employees in evaluating current workloads and determining the most effective department structure, staffing and case assignment process to avoid exceeding recommended standards. The Board of Supervisors should support their efforts.*

**Response:** The recommendation will be implemented.

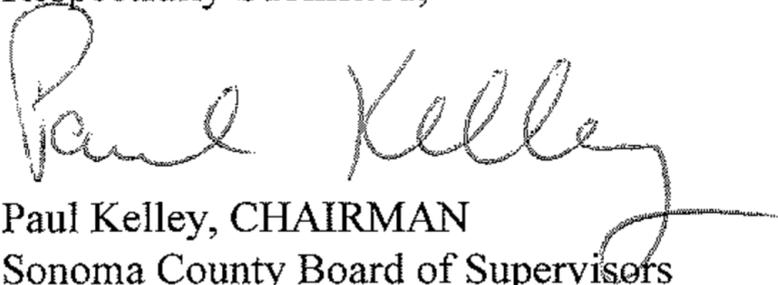
The Public Defender has indicated that he will be working with all employees in evaluating the current caseloads with regard to department structure, staffing and case assignments. The Board of Supervisors is in support of these efforts.

*R9 The Public Defender's office supported by the Board of Supervisors and the Mental Health Department should retain the service of a full-time mental health professional.*

Response: The recommendation will not be implemented because it is not warranted.

As noted in the Public Defender's response, Mental Health professionals are available and do provide mental health screening services for indigent clients who may require screening. At this time, the Board of Supervisors has not been advised of the need for a full time mental health professional. The Board would consider such a request, if warranted, based on the Department and County Administrator's evaluation and recommendation in light of other funding priorities. No such request or analysis has been forwarded.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Paul Kelley". The signature is written in black ink and is positioned above the typed name and title.

Paul Kelley, CHAIRMAN  
Sonoma County Board of Supervisors

c: The Honorable Judge Mark Tansil  
Eeve Lewis, County Clerk, County of Sonoma  
Denise Gordon, Executive Officer of the Superior Court